

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Favorable reconsideration of this patent application in view of the amendments above and the following remarks respectfully is requested.

Substance of Interview

Applicants would like to thank the Examiner for the courtesies extended during a telephonic interview that occurred on May 6th, 2009. During the interview the claims as presented above were discussed.

Claim Amendments

Claim 1 has been amended to recite “navigating in a backwards direction in the hierarchically organized menu system by solely performing the following two steps within a set time limit: removing the finger from the movable physical member and re-applying the finger to the movable physical member.” Similar amendments were made to claim 3. Support for the amendments may be found in the specification at, for example, page 7, lines 5–11; page 10, lines 5–33; and figure 5.

Claim Rejections - 35 USC § 112

Independent claims 1, 3, and 20 have been rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement with regard to the claim language “without regard to the length of time that the finger is applied immediately preceding the removing and re-applying of the finger.” Applicants believe that the deleted language is supported in the specification at least on page 7, lines 5–11 and page 10, lines 5–33 in a manner that reasonably conveys to one skilled in the art that the inventor had possession of the claimed invention at the time of the invention. However, to further prosecution, claims 1, 3, and 20 have been amended to remove the quoted language. Accordingly, withdrawal of the rejections respectfully is requested.

Claim Rejections - 35 USC § 103

Claims 1, 3, and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wallace et al. (US 6,621,483) in view of Applicant's Admitted Prior Art (AAPA) and in further view of Bower (US 2002/0072915). Withdrawal of the rejections respectfully is requested for at least the following reasons.

The Examiner proposes combining the teaching of a screen pointer in Wallace, the mention of a double-click in Bower, and the discussion of hierarchically organized menu systems in the Applicants' Admitted Prior Art (AAPA) to arrive at the claimed invention. Applicant respectfully submits that the claimed invention is different from a conventional double-click for at least the following reasons.

The claimed electronic device performs navigation when the user does action 1 followed by action 2, namely removing the finger from a surface (action 1) and re-applying the finger to the surface (action 2), within a set time limit. In contrast, a double-click device performs navigation when the user does action 0 followed by action 1, action 2, and action 3, namely pressing down the mouse button (action 0), releasing the mouse button (action 1), re-pressing the mouse button (action 2), and again releasing the mouse button (action 3), within a short time. Unlike the claimed invention, the double-click device cannot perform navigation based solely on actions 1 and 2. Instead, the double click device must perform actions 0, 1, 2, and 3 in order to execute the double-click command. Thus, the claimed invention is not taught by a conventional double-click.

Accordingly, the proposed combination of Wallace, AAPA, and Bower does not arrive at the claimed invention. As such, Applicant respectfully requests withdrawal of the rejections of claims 1, 3, and 20, and all claims dependent therefrom.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

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If the Examiner feels that a telephone interview would be helpful to expedite favorable consideration of this application, she is respectfully requested to telephone Applicants' Attorney at the number below.

Respectfully submitted,

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